

U.S. Patent Appl. No. 09/725,178—Mockel et al.

### I. AMENDMENTS TO THE CLAIMS

1. (Previously Presented) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

- a) a polynucleotide encoding a polypeptide containing an amino acid sequence which is at least 90% identical the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and
- b) a polynucleotide that is complementary to the polynucleotide of (a).

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Previously Presented) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

- (a) a polynucleotide encoding a polypeptide containing the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and
- (b) a polynucleotide that is complementary to the polynucleotide of (a).

6. (Previously Amended) An isolated polynucleotide consisting of: the nucleotide sequence shown in SEQ ID NO: 1, or a fragment thereof wherein said nucleotide sequence and fragment thereof encode for a polypeptide having phosphoglycerate mutase activity.

7. (Previously Presented) An isolated corynebacterial polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

- (a) a polynucleotide that is identical to SEQ ID NO: 1 encoding a polypeptide containing the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and
- (b) a polynucleotide that is complementary to the polynucleotide of (a).

8-21. (Canceled)

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22. (Previously Presented) A member of the coryneform group of bacteria transformed by the polynucleotide according to one of claims 1, 5, 6, or 7.

23. (Previously Presented) Bacteria according to claim 22, wherein the bacteria are of the genus *Corynebacterium*.

24-26. (Cancelled)

27. (Previously Presented) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

a) a polynucleotide encoding a polypeptide containing an amino acid sequence which is at least 95% identical the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and

b) a polynucleotide that is complementary to the polynucleotide of (a).

28. (Previously Presented) A vector comprising the polynucleotide of claims 1, 5, 7, or 27.

29. (Previously Presented) The vector of claim 28, wherein said vector is an expression vector.

30. (Previously Presented) A vector that is an expression vector pXKgpmexp comprising

(a) the polynucleotide of claims 5 or 7; and

(b) a restriction map as set forth in Figure 2.

31. (Previously Presented) A host cell comprising the vector of claim 28.

32. (Previously Presented) A host cell of claim 31 that is a prokaryotic cell.

33. (Previously Presented) An isolated nucleic acid comprising a nucleotide sequence as set forth in SEQ ID NO: 1.